

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Douglas J. Hill,

Plaintiff,

v.

Lt Leslie Davis,

Defendant.

C/A No. 5:12-cv-1428-MGL-KDW

ORDER

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendant filed a Motion to Dismiss for Lack of Prosecution on March 19, 2013. ECF No. 42. As Plaintiff is proceeding pro se, the court entered an order on March 20, 2013 pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion to dismiss and of the need for him to file an adequate response. ECF No. 43. Plaintiff was specifically advised that if he failed to respond adequately, Defendant's motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Defendant's Motion to Dismiss for Failure to Prosecute by May

27, 2013. Plaintiff is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

May 10, 2013
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

Kaymani D. West
United States Magistrate Judge